FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5370 OF 2005

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders.	Court's or Judge's Orders

Mr. A.S. Desai for the petitioners.

None for the respondents.

CORAM: SMT. RANJANA DESAI, J.

DATED: 18TH AUGUST, 2005.

P.C.:-

In this writ petition, order dated 3/3/2005 passed by the Civil Judge, Senior Division, Islampur, Dist. Sangli, granting amendment application is under challenge. The amendment application is granted subject to payment of costs of Rs.500/-.

I have heard the learned counsel appearing for the petitioner. In my opinion, no interference is necessary with the impugned order. The amendment application is allowed in order to minimise the litigation and

to avoid multiplicity of proceedings. The learned judge has observed that if the amendment is not allowed the plaintiff will have to file a separate suit. No fault could be find with this reasoning. Besides, the trial court has also awarded costs. The trial court has rightly cautioned the plaintiff not to make any more amendment applications which would result in delay in disposal of the suit. The plaintiff should keep these observations of the trial court in mind. No interference is necessary with the discretionary order passed by the trial court. There is no substance in the petition. Petition is rejected.

(SMT. RANJANA DESAI, J.)